

REMARKS

The present Amendment is in response to the Examiner's Office Action mailed March 22, 2007. Claims 1, 6, 8, 15, 18, 25, 28, 34, and 39 are amended. Claim 10 is canceled, the claimed subject matter being incorporated into claim 1. Claims 1-9 and 11-41 are pending.

Reconsideration of the application is respectfully requested in view of the above amendments to the claims and the following remarks. For the Examiner's convenience and reference, Applicants' remarks are presented in the order in which the corresponding issues were raised in the Office Action.

I. General Considerations

Applicants respectfully note that the remarks herein do not constitute, nor are they intended to be, an exhaustive enumeration of the patentable distinctions between any cited references and the invention, example embodiments of which are set forth in the claims of this application. Rather, and in consideration of the fact that various factors make it impractical to enumerate all the patentable distinctions between the invention and the cited art, as well as the fact that the Applicants have broad discretion in terms of the identification and consideration of the base(s) upon which the claims distinguish over the cited references, the distinctions identified and discussed herein are presented solely by way of example. Consistent with the foregoing, the discussion herein is not intended, and should not be construed, to prejudice or foreclose contemporaneous or future consideration by the Applicants, in this case or any other, of additional or alternative distinctions between the invention and the cited references; and/or, the merits of additional or alternative arguments.

With specific reference now to the claim amendments, Applicants note that while claims 1, 6, 8, 15, 18, 25, 28, 34, and 39 have been amended herein, such amendments have been made in the interest of expediting the allowance of this case. Notwithstanding, Applicants, may, on further consideration, determine that claims of broader scope than those now presented are supported. Accordingly, Applicants hereby reserve the right to file one or more continuing applications with claims broader in scope than the claims now presented.

Consistent with the points set forth above, Applicants submit that neither the claim amendments set forth herein, nor any other claim amendments or statements advanced by the

Applicants in this or any related case, constitute or should be construed as, an implicit or explicit surrender or disclaimer of claim scope with respect to the cited, or any other, references.

II. PRIOR ART REJECTIONS

A. Rejection Under 35 U.S.C. §102(e)

The Examiner rejected claims 1-41 under 35 U.S.C. § 102(e) as being anticipated by United States Pre-Grant Publication No. 2003/0037033 to Nyman et al. ("*Nyman*"). Applicants respectfully traverse the rejection in view of the following remarks.

Applicants respectfully note that a claim is anticipated under 35 U.S.C. § 102(b) only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. Further, the identical invention must be shown in as complete detail as is contained in the claim. Finally, the elements must be arranged as required by the claim. *Manual of Patent Examining Procedure* ("MPEP") § 2131.

Amended claim 1 recites, among other things: "...using each of said plurality of encryption keysets in sequence until all of said encrypted data has been decrypted." Claim 25, as amended, includes a similar limitation: "wherein said analyzer decrypts said captured data by applying each unique keyset in sequence until all of said encrypted data has been decrypted."

According to the Examiner, "Nyman et al. discloses the claimed limitation wherein said analyzer decrypting said encrypted data received by said at least one wireless card using each of said plurality of encryption keysets in sequence until all of said encrypted data has been decrypted (See page 8, Section 0094)." See Office Action, p. 4. However, the only decryption of data described in the cited section of *Nyman* relates to decrypting of messages using a single, private key, not using a "plurality of encryption keysets in sequence," as claimed. See paragraph [0094] ("Each device retains a private key...to enable it to decrypt messages encrypted under its public key.") Moreover, the private key decryption appears to be the only decryption activities described in *Nyman*.

Therefore, the Examiner has not established that *Nyman* teaches each and every element of claims 1 and 25. Accordingly, withdrawal of the rejection of claims 1 and 25, and corresponding dependent claims 2-9, 11-14, and 26-41, is respectfully requested. Moreover, the rejection of claim 10 has been rendered moot in view of the cancellation of that claim.

As to claim 15, *Nyman* does not describe "...[a] keyset profile having all keysets being used by any of said at least two access points...decrypting said data in said data store using said keyset profile," as claimed. The Examiner again pointed to paragraph [0094] as allegedly teaching this limitation. See Office Action, p. 5. Although *Nyman* generally describes decrypting data with a private key, the private key does not constitute a "keyset profile having all keysets being used by any of said at least two access points," as claimed.

Therefore, the Examiner has not established that *Nyman* teaches each and every element of claim 15. Thus Applicants respectfully request withdrawal of the rejection of claim 15 and corresponding dependent claims 16-24.

CONCLUSION

In view of the foregoing, Applicants believe the claims as amended are in allowable form. In the event that the Examiner finds remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, or which may be overcome by an Examiner's Amendment, the Examiner is requested to contact the undersigned attorney.

Dated this 22nd day of August, 2007.

Respectfully submitted,

/Eric L. Maschoff/Reg. No. 36,596

ERIC L. MASCHOFF
Registration No. 36,596
Attorney for Applicant
Customer No. 022913
Telephone: (801) 533-9800